



5760-15700/VRTS 0446

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Unknown

Atty. Dkt. No. 5760-15700

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

For: Single Instance Backup of
Email Message Attachments

B. Noël Kivlin
Registered Representative

3-28-01

Date _____

Signature

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3.

- ☒ Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.
- ☒ A copy of each non-U.S. patent and/or non-U.S. patent application publication reference listed on the Form PTO-1449 is enclosed.
- ☐ The references listed on the Form PTO-1449 were previously cited in application serial no. _____ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
- ☒ before the mailing date of a first Office Action on the merits; or
- ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C. Deposit Account No. 50-1505/5760-15700.

Respectfully submitted,



B. Noël Kivlin
Reg. No. 33,929
Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN,
KOWERT & GOETZEL, P.C.
P. O. Box 398
Austin, Texas 78767
(512) 853-8800
Date: 3-28-06

Form PTO-1449 (modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use several sheets if necessary)

ATTY. DKT. NO. 5760-15700

SERIAL NO. 10/698,092

APPLICANT: Steven R. DeVos

GROUP: 2186

FILING DATE: October 31, 2003

U.S. PATENT DOCUMENTS

| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|----------------|-----------|-----------------|-------------------|-------|-------|-----------|----------------------------|
| | B1 | 7,003,551 | February 21, 2006 | Malik | | | |
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FOREIGN PATENT DOCUMENTS

| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION YES/NO |
|----------------|-----------|-----------------|------|---------|-------|-----------|--------------------|
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | B2 | SunOS man pages for "In" http://docsun.cites.uiuc.edu/sun_docs/C/solaris_9/SUNWaman/hman1/ln.1.html , 2 pages. |
| | B3 | Bolosky, William J., et al., "Single Instance Storage in Windows® 2000," 4 th USENIX Windows Systems Symposium Paper 2000, 12 pages. |
| | B4 | "NetBackup Storage Migrator™ for Windows® v4.0," "Optimizing Storage in Microsoft® 2000 & Exchange Server Environments," VERITAS Datasheet, version 2, 2002, 2 pages |
| | B5 | "NetBackup Storage Migrator™ for Windows® v4.1," "Automated Data Management for Windows Environments," VERITAS Datasheet, version 2, 2003, 2 pages. |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.